

WEINSTEIN COUTURE PLLC
Brian D. Weinstein
601 Union Street, Suite 2420
Seattle, Washington 98101
Phone: (206) 508-7070
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Email: brian@weinsteincouture.com
Counsel for Plaintiff

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE: BARD IVC FILTERS PRODUCTS
LIABILITY LITIGATION

Case No. 2:15-md-02641-PHX-DGC

This document relates to Plaintiff Gene Braffith

Civil Case No. 2:16-cv-03642-DGC

NOTICE OF DELIVERY

Pursuant to the Order received from Judge Campbell on October 24, 2018, please find attached as exhibits the following documents which indicate how and when Mr. Braffith received a copy of the aforementioned Order and dial-in information for the hearing:

1. Attached as **Exhibit 1** is a true and correct copy of the letter informing Mr. Braffith of this Court's Order. The letter was sent by both U.S. mail and FedEx Express on October 31, 2018.
2. Attached as **Exhibit 2** is a true and correct copy of copy of the letter from FedEx containing proof of delivery to Mr. Braffith. The letter was delivered to Mr. Braffith via FedEx on November 8, 2018.
3. Attached as **Exhibit 3** is a true and correct copy of copy of the FedEx "Airbill", which includes the tracking number referenced on the proof of delivery slip to Mr. Braffith.

4. Attached as **Exhibit 4** is a true and correct copy of the envelope and letter sent to Mr. Braffith, providing him with dial-in information for the December 4, 2018 telephonic hearing. This letter was sent via U.S. mail on November 9, 2018.
5. I declare under penalty of perjury that the foregoing is true and correct.

Dated at Seattle, Washington, this 9th day of November, 2018.

Respectfully submitted,

WEINSTEIN COUTURE PLLC

s/ Brian D. Weinstein

Brian D. Weinstein
601 Union Street, Suite 2420
Seattle, Washington 98101
Phone: (206) 508-7070
Fax: (206) 237-8650
Email: brian@weinsteincouture.com
Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2018, a copy of the foregoing Motion to Withdraw Appearance was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the court's electronic filing system. Parties may access this filing through the court's system.

s/ Brian D. Weinstein
Brian D. Weinstein

EXHIBIT 1



T: (206) 508-7070 F: (206) 237-8650
www.weinsteincouture.com

Weinstein Couture PLLC

601 Union Street, Suite 2420
Seattle, Washington 98101

October 31, 2018

**VIA U.S. MAIL &
FEDEX CERTIFIED MAIL**

Mr. Gene Braffith
1714 1/2 Sequalish Street
Steilacoom, WA 98388

Dear Gene,

Following up on the letter that Alex sent you yesterday, please see the enclosed Court Order concerning our withdrawal of counsel from your case. The Order indicates that you are required to attend a telephonic (conference-call) hearing on December 4, 2018 at 4:00 p.m. The conference call is not necessary if you have already retained other counsel. Accordingly, please let us know if you have indeed retained counsel as soon as possible so we may inform the Court. If you have any questions, please do not hesitate to contact our office.

Sincerely,



Sara Orozco
Legal Secretary

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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 IN RE: Bard IVC Filters Products Liability
10 Litigation,

No. MDL 15-2641-PHX-DGC

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12 Gene Curtis Braffith,
13 Plaintiffs,

No. CV-16-3642-PHX-DGC

14 v.

ORDER

15 C. R. Bard, Inc., a New Jersey corporation;
16 and Bard Peripheral Vascular, Inc., an
17 Arizona corporation,
18 Defendants.

19 Counsel for Plaintiff Gene Curtis Braffith has filed a motion for leave to withdraw
20 as counsel. Doc. 12889.

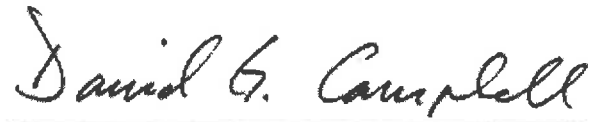
21 **IT IS ORDERED:**

22 1. A telephonic hearing on Plaintiff's counsel's motion for leave to withdraw
23 will be held on **December 4, 2018 at 4:00 p.m.** before Senior Judge David G. Campbell,
24 401 West Washington Street, Courtroom 603, Phoenix, Arizona 85003. Counsel for
25 Plaintiff, **Plaintiff Gene Curtis Braffith**, and counsel for Defendants **shall** appear
26 telephonically at the hearing. Counsel for Plaintiff shall be responsible for initiating a
27 telephone conference to include counsel for Plaintiff, Plaintiff Gene Curtis Braffith,
28 counsel for Defendants, and the Court. If a dial in number is to be used, counsel for

1 Plaintiff shall provide the dial-in number to Plaintiff Gene Curtis Braffith, counsel for
2 Defendants, and the Court no later than December 3, 2018 at 12:00 noon.

3 2. Counsel for Plaintiff Gene Curtis Braffith shall provide a copy of this Order
4 to Mr. Braffith on or before **November 23, 2018** and shall file a notice with the Court
5 indicating how and when Mr. Braffith received the Order.

6 Dated this 24th day of October, 2018.

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10 David G. Campbell
11 David G. Campbell
12 Senior United States District Judge
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EXHIBIT 2



November 8, 2018

Dear Customer:

The following is the proof-of-delivery for tracking number **8769-2607-7789**.

Delivery Information:

Status:	Delivered	Delivered to:	Residence
Signed for by:	Signature release on file	Delivery location:	WA
Service type:	FedEx Express Saver	Delivery date:	Nov 8, 2018 11:13
Special Handling:	Deliver Weekday		
	Residential Delivery		
	Direct Signature Required		

NO SIGNATURE IMAGE IS AVAILABLE VIA THIS TRACKING APPLICATION.

The proof of delivery details appear below; however, no signature image is available at this time.

Shipping Information:

Tracking number:	8769-2607-7789	Ship date:	Oct 31, 2018
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Recipient:
WA US

Shipper:
SEA US

Thank you for choosing FedEx.

EXHIBIT 3

FedEx
Tracking
Number

8769 2607 7789

Form ID No. 0200

Sender's Copy

1 From *Please print and press hard.*

Date 10/31/18 Sender's FedEx Account Number [REDACTED]
Sender's Name Sara Orszko Phone (206) 508-7070
Company Weinstein Couture PLLC
Address 601 Union St. Ste 2420 Dept./Floor/Suite/Room
City Seattle State WA ZIP 98101

2 Your Internal Billing Reference

First 24 characters will appear on invoice.

3 To
Recipient's Name Gene Braffith Phone ()

Company
Address 1714 1/2 Sequash St. HOLD Weekday
We cannot deliver to P.O. boxes or P.O. ZIP codes. Dept./Room/Suite/Room
Address Steilacoom HOLD Saturday
Use this line for the HOLD location address or for continuation of your shipping address. Dept./Room/Suite/Room
City Steilacoom State WA ZIP 98388

4 Express Package Service *To most locations.

NOTE: Service order has changed. Please select carefully.

Packages up to 150 lbs.
For packages over 150 lbs., use the new
FedEx Express Freight US Airbill.

Next Business Day

- ☐ **FedEx First Overnight**
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- ☐ **FedEx Priority Overnight**
Next business morning.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- ☐ **FedEx Standard Overnight**
Next business afternoon.* Saturday Delivery NOT available.

2 or 3 Business Days

- ☐ **NEW FedEx 2Day A.M.**
Second business morning.* Saturday Delivery NOT available.
- ☐ **FedEx 2Day**
Second business afternoon.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- ☒ **FedEx Express Saver**
Third business day.* Saturday Delivery NOT available.

5 Packaging *Declared value limit \$500.

- ☒ **FedEx Envelope*** ☐ **FedEx Pak*** ☐ **FedEx Box** ☐ **FedEx Tube** ☐ **Other**

6 Special Handling and Delivery Signature Options

- ☐ **SATURDAY Delivery**
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.
- ☐ **No Signature Required**
Package may be left without obtaining a signature for delivery.
- ☒ **Direct Signature**
Someone at recipient's address may sign for delivery. *Fee applies.*
- ☐ **Indirect Signature**
If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only. *Fee applies.*

Does this shipment contain dangerous goods?

- ☒ **No** ☐ **Yes** As per attached Shipper's Declaration. ☐ **Yes** Shipper's Declaration not required.
- ☐ **Dry Ice** Dry Ice, 9, UN 1845 _____ x _____ kg
- ☐ **Cargo Aircraft Only**

7 Payment Bill to:

- Enter FedEx Acct. No. or Credit Card No. below.
- ☒ **Sender** Acct. No. in Section will be billed. ☐ **Recipient** ☐ **Third Party** ☐ **Credit Card** ☐ **Cash/Check**
- FedEx Acct. No. Credit Card No. Exp. Date

Total Packages 1 Total Weight 0 lbs. Total Declared Value* \$0.00

*Our liability is limited to \$100 unless you declare a higher value. See back for details. By using this Airbill you agree to the service conditions on the back of this Airbill and in the current FedEx Service Guide, including terms that limit our liability.

Rev. Date 11/10 • Part #163136 • ©1994-2010 FedEx • PRINTED IN U.S.A. SRY



The FedEx US Airbill has changed. See Section 4.

For shipments over 150 lbs., order the new FedEx Express Freight US Airbill

612

EXHIBIT 4



Weinstein Couture PLC

601 Union Street, Suite 2420
Seattle, Washington 98101



Mr. Gene Braffith
1714 ½ Sequalish Street
Steilacoom, WA 98388



T: (206) 508-7070 F: (206) 237-8650
www.weinsteincouture.com

Weinstein Couture PLLC

601 Union Street, Suite 2420
Seattle, Washington 98101

November 9, 2018

VIA U.S. MAIL

Mr. Gene Braffith
1714 1/2 Sequalish Street
Steilacoom, WA 98388


Dear Mr. Braffith,

I am writing to provide you with the call in information for the telephonic conference call hearing on December 4, 2018, at 3 P.M. PST (4 P.M. M.S.T.) in regards to the previous letter and Court Order I sent you on October 31, 2018. You can call in to the hearing at the number provided below, which will prompt you to provide the passcode also noted:

Dial-In Number: (866) 640-4044
Passcode: 867270

Enclosed is another copy of the Order for your convenience. If you have already retained other counsel, please let us know as soon as possible so that we may inform the Court and cancel the hearing. If you have any questions, please do not hesitate to contact our office.

Sincerely,



Sara Orozco
Legal Secretary

Enclosure

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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 IN RE: Bard IVC Filters Products Liability
10 Litigation,

No. MDL 15-2641-PHX-DGC

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12 Gene Curtis Braffith,
13 Plaintiffs,

No. CV-16-3642-PHX-DGC

14 v.

ORDER

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18 Defendants.

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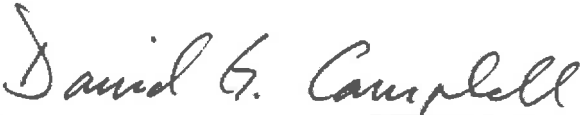
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12 Senior United States District Judge
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